

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

CURLEY YOUNG,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 1:06cv563-SRW
)	
HONEYWELL TECHNOLOGY)	
SOLUTIONS, INC.,)	
)	
Defendant.)	

SCHEDULING ORDER

For good cause it is

ORDERED that the scheduling order (Doc. # 11), entered November 3, 2007 hereby
is AMENDED as follows:

SECTION 1. The pretrial previously scheduled for August 31, 2007 be and hereby
is **rescheduled for March 7, 2008 at 8:30 a.m.** in courtroom 5-B, Frank M. Johnson, Jr.
United States Courthouse Complex, Montgomery, Alabama. At least one trial counsel for
each party shall attend this conference. Not less than FIVE DAYS PRIOR to the pretrial
conference, the parties shall submit to the court a jointly prepared, proposed pretrial order
(form attached).

This cause is **re-set for jury selection and trial from October 1, 2007 to the term
of court commencing on April 7, 2008 in Dothan, Alabama.**

SECTION 2. No later than **THREE WEEKS PRIOR TO THE PRETRIAL
HEARING**, each party shall exchange the names and addresses of all witnesses, separately

identifying those whom the party expects to present and those whom the party may call if the need arises. The witness list should include the names of any witnesses required to be disclosed under Paragraph 9. Unless specifically agreed between the parties or allowed by the Court for good cause shown, the parties shall be precluded from calling any witness not so identified.

SECTION 3. No later than **TWO WEEKS PRIOR TO THE TRIAL DATE**, the parties shall identify any part of a deposition or other document that a party expects to use at trial. Adverse parties shall within **ONE WEEK THEREAFTER** identify any responsive parts of depositions expected to be used, and a party shall within **THREE DAYS** of the designation of such responsive parts designate any part which is desired as a rebuttal thereto. Unless specifically agreed between the parties or allowed by the Court for good cause shown, the parties shall be precluded from using any part of a deposition or other document not so listed, with the exception of parts of depositions or documents to be used solely for the purpose of impeachment. Except to the extent written notice to the contrary is given prior to the scheduled trial date, each party shall be deemed to have agreed that one of the conditions for admissibility under Rule 32 of the Federal Rules of Civil Procedure is satisfied with respect to any such deposition and that there is no objection to the testimony so designated.

SECTION 4. On or before **TWO WEEKS PRIOR TO THE TRIAL DATE**, the parties shall furnish opposing counsel for copying and inspection all exhibits or tangible evidence to be used at the trial, and proffering counsel shall have such evidence marked for

identification prior to trial. Unless specifically agreed between the parties or allowed by the Court for good cause shown, the parties shall be precluded from offering such evidence not so furnished and identified, with the exception of evidence to be used solely for the purpose of impeachment. Except to the extent written notice to the contrary is given no later than **SEVEN (7) DAYS PRIOR TO THE SCHEDULED TRIAL DATE**, the evidence shall be deemed genuine and admissible in evidence. The written notice shall set forth the grounds and legal authorities. All trial exhibits must be premarked prior to trial.

SECTION 5. *If a jury trial:* The parties shall file any requested voir dire questions; motions in limine fully briefed; any proposed jury instructions, together with citations of law thereon; and proposed verdict forms **ON OR BEFORE TWO WEEKS PRIOR TO THE DATE SET FOR JURY SELECTION UNLESS SAID TIME IS SHORTENED BY THE COURT ON MOTION OF EITHER PARTY.** The court will not entertain motions to exclude or limit evidence thereafter. Responses to motions in limine, with supporting briefs **SHALL BE FILED NOT LATER THAN ONE WEEK BEFORE JURY SELECTION.** Trial counsel are **DIRECTED** to review the jury questionnaire used in this court and to avoid any duplication of matters addressed therein in their voir dire questions.

SECTION 6. In cases involving jury trials, the term **TRIAL DATE** as used in the foregoing deadlines shall mean the date set for jury selection.

DONE, this 9th day of August, 2007.

/s/ Susan Russ Walker

SUSAN RUSS WALKER
UNITED STATES MAGISTRATE JUDGE

IN THE DISTRICT COURT OF THE UNITED STATES
MIDDLE DISTRICT OF ALABAMA
() DIVISION

(Style))
) CASE NO. _____
)

ORDER ON PRETRIAL HEARING

A pretrial hearing was held in this case on _____, wherein the following proceedings were held and actions taken:

1. **PARTIES AND TRIAL COUNSEL:**

COUNSEL APPEARING AT PRETRIAL HEARING: (same as trial counsel)
or (indicate if different) _____.

2. **JURISDICTION AND VENUE:**

3. **PLEADINGS:** The following pleadings and amendments were allowed:

4. **CONTENTIONS OF THE PARTIES:**

- (a) The plaintiff(s)
- (b) The defendant(s)

5. **STIPULATIONS BY AND BETWEEN THE PARTIES:**

6. The Plaintiff(s) shall file a trial brief with the court **on or before** _____. The Defendant(s) shall file a trial brief with the court **on or before** _____.

7. **If a jury trial**, the parties are ORDERED to file any requested voir dire questions (**voir dire questions should not duplicate questions contained in the jury questionnaire**), proposed jury instructions (**together with citations of authority in support of each proposed instruction**) and proposed verdict forms no later than two weeks prior to the date shown on the docket for jury selection. Motions in limine, along with supporting briefs, shall be filed not later than two weeks before trial. The court will not entertain motions to exclude or limit evidence thereafter. Responses to motions in limine, with

supporting briefs, shall be filed not later than one week before the trial.

8. Each party shall have available at the time of trial, for use by the court, two copies of the list of his exhibits and two extra copies of each photostatically reproducible exhibit.

9. It is ORDERED by this Court that all of the above-named allowances and agreements be, and the same are hereby, binding upon all parties in the above-styled cause unless this Order be hereafter modified by Order of the Court.

DONE this _____ day of _____, 19____.

UNITED STATES MAGISTRATE JUDGE